

REMARKS

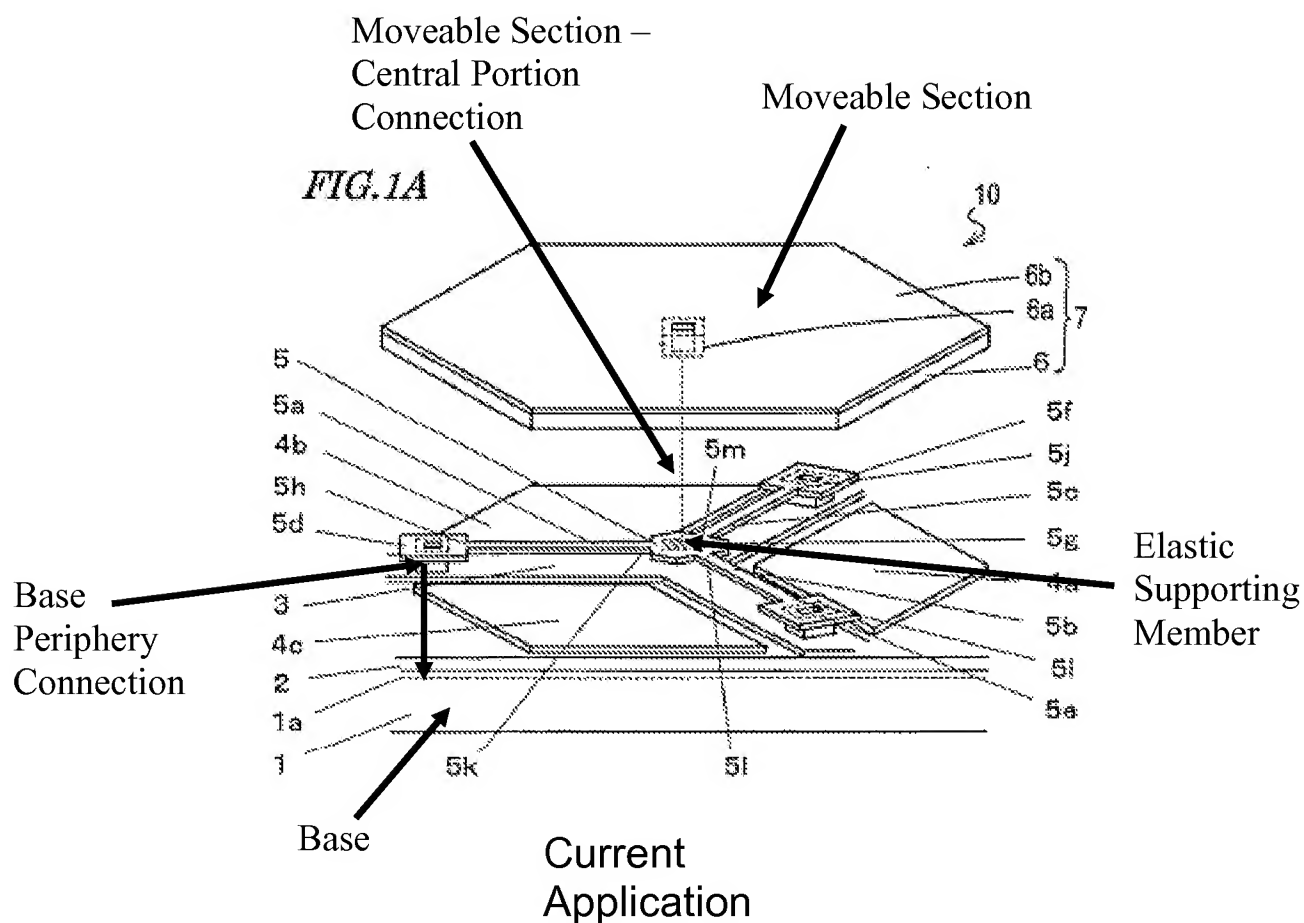
Claims 21-53 are pending in the application, and independent claims 21 and 36 have been amended herein. Support for the amendments may be found, for example, in the embodiment depicted in Fig. 1A of the Application, described at paragraphs [0038-0045]. Favorable reconsideration of the application is respectfully requested in view of the claim amendments and following remarks.

I. Allowable Subject Matter

Applicant again acknowledges the Examiner's conclusion that claims 26, 41, and 43 recite allowable subject matter. The Examiner objects to such claims as depending from a rejected base claim, but states these claims would be allowed if rewritten in independent form including the limitations of the base claim and any intervening claims. As further explained below, however, Applicant asserts all claims are patentable, and therefore the objections should be withdrawn.

II. Rejections Under 35 U.S.C. § 103(a)

Independent claims 21 and 36 have been amended to recite in part that "the elastic supporting member is connected to an outer periphery of the base and is connected to the moveable section ***only at a central portion of the moveable section.***" Fig. 1A of the application is reproduced below as representative of these features.

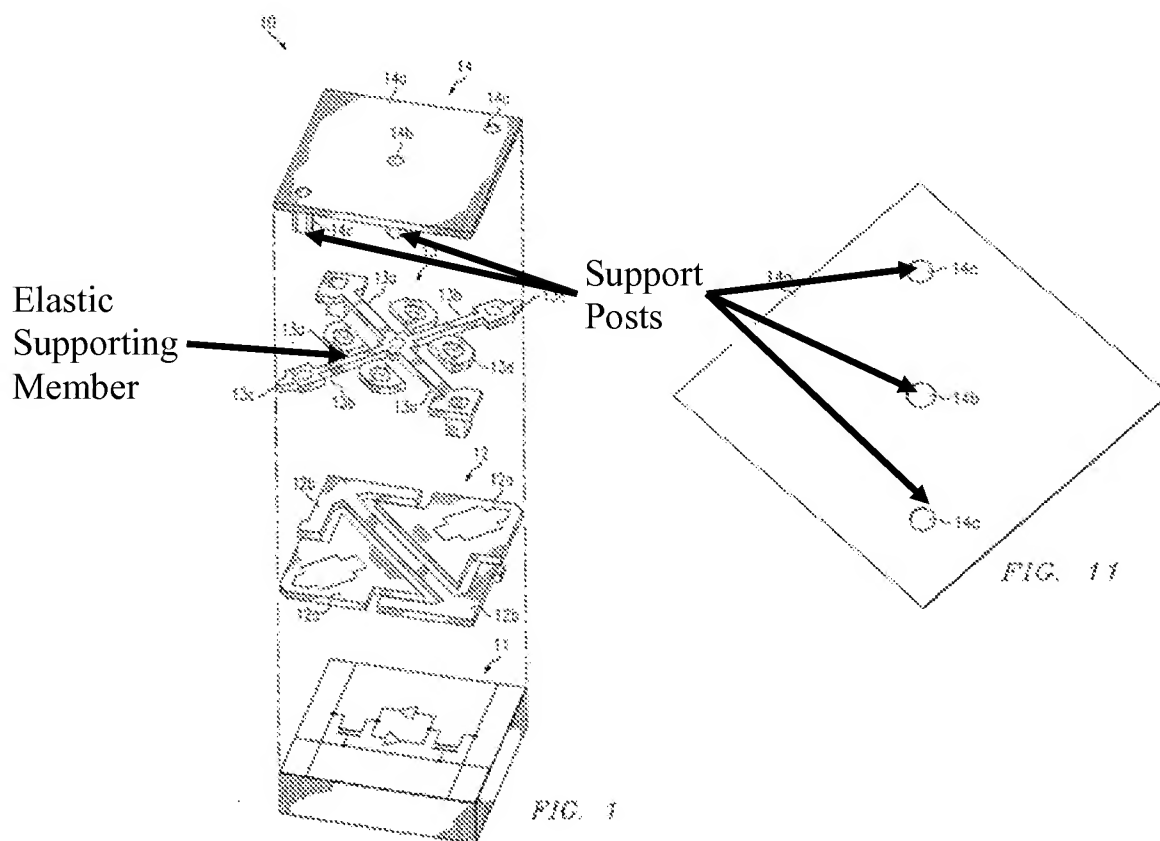


As seen in the above figure, the elastic supporting member 5 is connected (1) to the outer periphery of the base at elements 5d, 5e, and 5f (arrows shown as to 5d) and (2) the central portion of the moveable section (moveable electrode 6) at the connection of elements 6a and 5g. For example, the Application states a “support portion 5g is connected to a protrusion 6a which is provided in a central portion of the movable electrode 6.” (Application at paragraph [0043], emphasis added.) As seen in the above figure, therefore, the elastic supporting member is connected to the moveable section **only** at the central portion of the moveable section. This configuration results in the attainment of the desired force relationships in a simple and efficient manner. The references cited by the Examiner do not disclose or suggest the claimed structural configuration.

Claims 21-25, 27-34, 36-40, 42, 44-52 stand rejected pursuant to 35 U.S.C. § 103(a) as being obvious over the combination of Aubuchon, U.S. Patent No. 6,906,848 (Aubuchon), Greywall, U.S. Patent No. 6,690,850 (Greywall), and DiCarlo, U.S. Patent

Application Publication No. 2004/0160659 (DiCarlo). Claims 35 and 53 stand rejected pursuant to 35 U.S.C. § 103(a) as being obvious over such combination, and further in view of a more tertiary reference, Mushika, WO Publication No. 021061488 as partially translated as U.S. Patent No. 6,952,304 (Mushika). DiCarlo is a newly cited reference.

In response to the previous Office Action, independent claims 21 and 36 were amended to recite “the elastic supporting member is connected to an outer periphery of the base and is connected to a central portion of the moveable section.” The Examiner cites to DiCarlo as allegedly disclosing such features. The current claim amendments clarify that the elastic supporting member is connected to the moveable section **only** at the central portion of the moveable section. DiCarlo does not disclose or suggest such feature. Figs. 1 and 11 of DiCarlo are reproduced below as representative.



In the device of DiCarlo, an elastic supporting member 13 is connected to the base via the small posts adjacent elements 13a. The elastic supporting member 13 also is connected to a moveable member 14 via posts 14a-c, only one of which (post 14b) is at the central portion of the moveable member. (See DiCarlo Figs. 1 and 11.) The other posts 14a and 14c do not connect the elastic support member to a central portion of the moveable section. Accordingly, DiCarlo lacks the feature that the elastic supporting member "is connected to the moveable section ***only at a central portion of the moveable section***" as recited in amended independent claims 21 and 36.

It follows from this deficiency of DiCarlo that a combination of DiCarlo with the other references likewise lacks such feature. Accordingly, the claims 21 and 36 are not obvious over the cited references, and the rejections should be withdrawn. The dependent claims are patentable for at least the same reasons.

III. Conclusion

For the foregoing reasons, claims 21-53 are allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to any outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988, Docket No. OKUDP0178US.

Respectfully submitted,

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